

Notice of Allowability

Application No.

10/029,722

Examiner

Geoffrey L. Knable

Applicant(s)

WEAVER ET AL.

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2-19-2004.
2. ☒ The allowed claim(s) is/are 3 and 11.
3. ☒ The drawings filed on 31 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

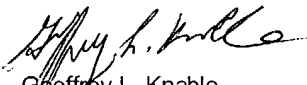
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Geoffrey L. Knable
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment to claim 11 was given in a telephone interview with Heather M. Barnes on May 5, 2004. The specification has also been amended to update the status of the parent application.

The application has been amended as follows:

In the specification:

The first paragraph on page 1 of the specification (as amended in the 2-19-2004 amendment) has been amended to read as follows:

This is a division of application Serial No. 09/510,779 Tire Belt Folding Drum filed February 23, 2000, now Patent No. 6,343,638. This invention relates to a tire breaker folding drum and method where a wide breaker ply is applied to a cylindrical drum with the leading and trailing ends spliced together. Then a narrow breaker ply is wrapped around the wide breaker ply and its ends spliced. The exposed overlap side edges of the wide breaker ply are then folded up over the narrow breaker ply along the side edges of the narrow breaker ply.

In the claims:

Claim 11 has been amended as follows:

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11. (currently amended) A method for folding edges of a wide breaker ply over edges of a narrow breaker ply, said narrow breaker ply wrapped around said wide breaker ply on a plurality of circumferentially spaced radially movable drum segments, wherein each of said drum segments has a center module, said center module having ends and a folding module mounted on each end, each of said folding modules has a nose piece movable axially of said drum from an axially outer position to an axially inner position overlapping said center module with a folding belt, each said folding belt being wrapped around each said nose piece and having an axially outer end connected to a spring means on said nose piece for maintaining tension in said belt, the method comprising the steps of:

wrapping said wide breaker ply over said center module and said folding belt on each said nose piece of each end of said center module;

folding edges of said wide breaker ply over edges of said narrow breaker ply by moving each said nose piece axially inward over said center module with said folding belt sliding over said nose piece upon said axially inward movement of said nose piece;

moving each of said nose pieces axially outward for peeling said belt from said folded edges of said wide breaker ply;

moving said drum segments radially inward; and

removing said wide breaker ply and said narrow breaker ply from said drum segments.

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Summary of above noted 5-5-2004 Interview: This change to claim 11 was proposed by the examiner to place this application into condition for allowance. It is supported in the original disclosure at for example page 2, lines 31-32 as well as page 5, lines 9-10 and the last three lines of original independent claim 5. This change was made to distinguish the closest prior art JP 54-80381 which includes a nose piece 20 as well as belt 50 and further in which the folding is accomplished by axial inward movement of the nose piece (e.g. figs. 5-4, 5-5). In JP '381, however, there is no indication that the folding is effected by moving each nose piece axially inward with the folding belt sliding over the nose piece upon said axially inward movement of said nose piece, the above noted change therefore defining what was considered by the examiner to be a key distinguishing feature of the present method over that of JP '381.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The closest prior art JP 54-80381 includes a nose piece 20 as well as belt 50 and further the folding is accomplished by axial inward movement of the nose piece (e.g. figs. 5-4, 5-5). In JP '381, however, there is no indication that the folding is effected by moving each nose piece axially inward with the folding belt sliding over said nose piece upon said axially inward movement of said nose piece as now claimed, this being critical to avoiding the disadvantageous stretching that would occur following the JP

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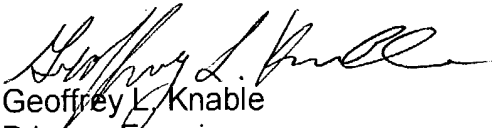
'381 process (fig. 5-3) as argued by applicant in the 2-19-2004 amendment. The closest prior art therefore does not teach or render obvious a method as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Geoffrey L. Knable
Primary Examiner
Art Unit 1733

G. Knable
May 8, 2004